

REMARKS

Reconsideration is respectfully requested in view of Applicants' Amendments and remarks herein.

At this time, the claims have been amended to recite a lower first pH of 10.3. Applicants submit that this change is clearly supported by Tables 4, 6, and 7 at pages 27-29 of the application, where a number of runs have been carried out with a lower limit of 10.3 pH.

As discussed below, Applicants submit that from the Examples in the Application as filed, plus the additional experimentation set forth in the Declaration under 37 C.F.R. § 1.132 submitted herewith, that Applicants have established unexpected results in precipitating a chromium component in chromate waste liquid by utilizing a first pH of 10.3 or higher. The experiments of the Declaration speak for themselves.

In the final action of November 19, 2003, claims 1-3, 6, 9, 10, 12-17 and 20-24 stand rejected under 35 U.S.C. § 103(a) as being obvious over Cassidy et al.; claim 7 and 25 through 27 stand rejected under 35 U.S.C. § 103(a) over Cassidy et al. further in view of Kreisler; claims 8 and 25-27 stand rejected under 35 U.S.C. § 103(a) over Cassidy et al. in view of Leggett et al.; claim 11 stands rejected under 35 U.S.C. § 103(a) over Cassidy et al. in view of Gaughan et al.; and claims 18-19 stand rejected under 35 U.S.C. § 103(a) over Cassidy et al. with Leggett et al. and Heskett. With respect to the primary reference of Cassidy et al., the Examiner had submitted that the upper limit of preferred pH thereof overlaps with Applicants' lower limit of pH.

In Cassidy, pH is adjusted to be from about 7.5 to about 10.0 preferably from about 8.2 to about 9.0. Furthermore, in Examples, 1, 2, and 3 of Cassidy, pH is stated to be a 8.9, 8.8 and 8.8,

respectively, or substantially lower than pH 10.3. In each of these examples, sodium hydroxide is used for pH adjustment and not a calcium component or a magnesium component, particularly, calcium hydroxide as specified in dependent claim 24.

From at least Figs. 1-3 of the enclosed Declaration under 37 C.F.R. § 1.132, Applicants submit it is unexpected that the total dissolved chromium after sedimentation is very low by the addition of calcium hydroxide as the claimed chromium precipitating accelerating agent added to a chromate waste liquid containing an organic acid component, with the first pH adjusted to be 10.3 or higher. Cassidy et al. and its examples could not teach or suggest these features, particularly since the highest pH used by Cassidy et al. is 8.9 and that the agent added to increase pH is only sodium hydroxide as an inorganic base for conducting the pH adjustment. A mere suggestion in Cassidy et al. that calcium hydroxide is another example of an inorganic base for conducting pH adjustment cannot teach or suggest to the skilled artisan the improvements obtained through the use of calcium hydroxide in combination with a first pH adjustment of at least 10.3.

With respect to the rejection of claims 7 and 25-27, again, Cassidy et al. is the primary reference. The Examiner is in particularly referred to Figures 4 and 5 of the enclosed 1.132 Declaration, also showing the unexpected nature of the increased sedimentation of Cr with the minimum pH value of 10.3 as utilized in the present invention. Applicants most strenuously submit that it is totally unexpected that the total dissolved Cr after sedimentation becomes very low by carrying out the sequential steps of (a) adding the claimed chromium precipitation accelerating agent of calcium chloride in the case of Figure 4 of the Declaration and magnesium

chloride in the case of Figure 5 of the Declaration to a chromate waste liquid containing an organic acid component and (b) adding the claimed basic pH adjusting agent such as sodium hydroxide in the cases of Figures 4-5 of the Declaration to the product of step (a) to increase pH of the chromate waste liquid to have a first pH of 10.3 or higher. As noted above, Cassidy et al. does not disclose nor suggest at all the significance of the pH value of 10.3 or higher as set forth in Applicants' claims. Neither Kreisler nor Leggett teach or suggest the consideration of Applicants' first pH of 10.3 or higher for obtaining Applicants' claimed results.

Finally, neither Gaughan nor Heskett provide the deficiencies of the primary reference of Cassidy et al with respect to the significance of the decreased solvation of Cr.

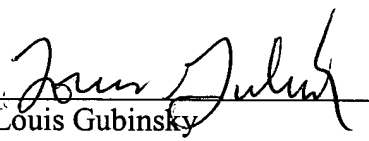
In summary, Applicants admit that all claims are now in condition for allowance. If any minor points remain prior to Notice of Allowance, the Examiner is requested to contact the undersigned at the below listed phone number.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. APPLN. NO. 09/916,532

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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